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EXAMINER

ELAHEE, MD S

ART UNIT PAPER NUMBER

2645

DATE MAILED: 11/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/813,665	Applicant(s) RIGNELL ET AL.	
	Examiner Md S Elahee	Art Unit 2645	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Response to Amendment

1. This action is responsive to an amendment filed on 07/12/04. Claims 1-34 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1-34 have been considered but they are not persuasive.

Regarding claim 1, the examiner agreed with the Applicant's argument on page 2, lines 24-27 that Macko does not teach "a phonebook capable of storing a plurality of phonebook entries, each entry representing a respective subscriber and an associated telephone number" as recited in currently pending claim as recited in amended claim 1. Therefore, a new ground of rejection with respect to Macko in view of Khazaka is applied below. The Applicant further argues on page 3, lines 4-6 that Macko does not teach a device that alerts the user of appointments or appointment types that other users of other devices may have scheduled. The examiner disagrees with this argument. Because, the applicant does not claim it. Thus the rejection of the claim in view of Macko remains.

Regarding claim 14, the Applicant argues on page 3, lines 29-31, Ito does not teach or suggest a method of operating a telecommunications network involving a plurality of subscribers of mobile telecommunications services as required by claim 14. The examiner disagrees with this argument. The claimed limitation is recited in the preamble of the claim. The body of the claim following the preamble is a self-contained description of the structure and does not depend on the preamble for completeness and therefore, the preamble does not usually limit the claim. The Applicant further argues on page 4, lines 5-7 that Ito teaches displaying the status of wired lines,

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not the subscriber as recited in claim 14. In addition, each mobile unit of Ito knows the status of the wired lines, not the other mobile units. The examiner disagrees with this argument. Because, the applicant does not claim the limitation. The Applicant further argues on page 4, lines 7-9 that Ito does not teach or suggest keeping record of the selected subscriber as taught by claim 14. The examiner again disagrees with this argument. Because, Ito does teach keeping record of the selected wired line user (i.e., subscriber) (see col.9, lines 61-68). Thus the rejection of the claim in view of Ito remains.

Regarding claim 20, the Applicant argues on page 8, lines 2 and 3 that Brennan is merely cited for the purpose of teaching a telephone number of a caller to identify the PCS subscriber. The examiner disagrees with this argument. Because, the applicant does not claim it. Thus the rejection of the claim in view of Brennan remains.

Regarding claim 31, the Applicant argues on page 4, lines 22 and 23 that Ito teaches displaying the status of wired lines, not the telecommunication apparatus as recited in claim 31. The examiner disagrees with this argument. Because, the wired lines are inherently connected to the telecommunication apparatus. Thus the rejection of the claim in view of Ito remains.

Claim Objections

3. Claim 20 is objected to because of the following informalities: regarding claim 20, the limitation 'said first digital message contains said message contains said first record as well as a second record to identify said telecommunication apparatus' lacks antecedent basis. The limitation is not disclosed in the original specification. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 14, 15, 31 and 34 are rejected under 35 U.S.C. 102(b) as being anticipated by Ito et al. (U.S. Patent No. 5,218,628).

Regarding claim 14, Ito teaches providing an option for a mobile unit user (i.e., individual subscriber) to select at least one wired line user (i.e., other subscriber) (fig.11, fig.16; col.7, lines 31-42).

Ito further teaches keeping record of the selected wired line user (i.e., subscriber) (fig.6; col.7, lines 24-31, col.9, lines 61-68, col.10, lines 1, 2).

Ito further teaches determining an operational status of the selected wired line user (fig.6; col.7, lines 7-12, 24-30).

Ito further teaches transmitting the determined operational status to the mobile unit user (col.7, lines 13-23).

Regarding claim 15, Ito teaches that the operational status may reflect any of the situations busy, held and idle (i.e., any of the following situations the respective subscriber is participating in an ongoing telephone call; the respective subscriber is not participating in any ongoing telephone call and is operatively accessible to the telecommunications network; the respective subscriber is not operatively accessible to the telecommunications network; or the respective subscriber is currently using call diversion) (col.7, lines 24-31).

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Regarding claim 31, Ito teaches that through a radio unit (i.e., man-machine interface) of the mobile unit (i.e., first telecommunication apparatus), receiving a line information request signal (i.e., request) from a user of the mobile unit to check an operational status of the wired telephone (i.e., second telecommunication apparatus) (fig.4, fig.16; col.6, lines 20-40, 60-63, col.7, lines 24-34).

Ito further teaches that in response to receiving the line information request signal from the user, generating a second line information signal request (i.e., first digital message) (fig.16; col.6, lines 31-40, 60-68).

Ito further teaches sending the second line information request signal (i.e., first digital message) to the wired telephone (i.e., second telecommunication apparatus) (col.6, lines 31-40, 60-68).

Ito further teaches receiving the second line information request signal (i.e., first digital message) in the wired telephone (col.6, lines 31-40, 60-68).

Ito further teaches that in the wired line, generating a line information signal (i.e., second digital message), containing an indication of the operational status of the wired telephone (col.7, lines 1-7).

Ito further teaches sending the line information signal to the mobile unit (col.7, lines 13-21).

Ito further teaches receiving the line information signal in the mobile unit (col.7, lines 17-21).

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Ito further teaches that in the mobile unit, providing an indication (i.e., notification) to the user concerning the operational status of the wired telephone, as indicated in the line information signal (i.e., second digital message) (col.7, lines 24-30).

Regarding claim 34, Ito teaches that providing an indication to the user of the operational status of the second telecommunication apparatus is done through a display 71 (fig.4; col.7, lines 24-30).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1 and 3-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Macko (U.S. Patent No. 6,052,563) and in view of Khazaka et al. (U.S. Patent No. 6,542,732).

Regarding claim 1, Macko teaches that the appointment book (i.e., phonebook) is capable of storing, for at least one of the appointment book entries, information about an appointment type (i.e., operational status) of a respective user (i.e., subscriber) (abstract; fig.1, fig.4; col.7, lines 31-42).

Macko further teaches that the controller is adapted to change (i.e., update) the operational status information of the at least one phonebook entry in response to receiving a message (i.e., status data), which are received through the receiver (i.e., radio interface) (fig.1; col.2, lines 11-22, col.3, lines 10-20).

However, Macko does not specifically teach “a phonebook capable of storing a plurality of phonebook entries, each entry representing a respective subscriber and an associated telephone number”. Khazaka teaches a phonebook capable of storing a plurality of phonebook entries, each entry representing a respective subscriber and an associated telephone number (abstract; fig.1; col.3, lines 46-54). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Macko to incorporate a phonebook capable of storing a plurality of phonebook entries, each entry representing a respective subscriber and an associated telephone number as taught by Khazaka. The motivation for the modification is to have doing so in order to save time for a caller to retrieve a telephone number of a particular person to make a call.

Regarding claim 3, Macko teaches that the operational status information may represent a situation, where the respective subscriber is available (i.e., currently not participating in any ongoing telephone call and is operatively accessible) (col.8, lines 4-8).

Regarding claim 4, Macko teaches that the controller is adapted, in response to receiving status data to the effect that the situation in claim 3 has occurred, to provide an indication to the user through the output device (col.8, lines 4-8).

Regarding claim 5, Macko teaches that the output device is a display, an indication lamp, a loudspeaker or a vibrator (fig.1; col.2, lines 23-33).

Regarding claim 6, Macko teaches that the operational status information may represent a situation, where the respective subscriber is unavailable (i.e., not operatively accessible) (col.8, lines 38, 39).

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Regarding claim 7, Macko teaches that the operational status information may represent a situation, where the respective subscriber is currently using call diversion (col.8, lines 9-18).

Regarding claim 8, Macko teaches that the communication device (i.e., telecommunication apparatus) is a mobile telephone (col.2, lines 11-17).

Regarding claim 9, Macko teaches that the radio interface is adapted to receive digital data (i.e., short text messages), and wherein the status data is comprised in such a digital data (col.8, lines 9-18).

8. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Macko (U.S. Patent No. 6,052,563) and in view of Khazaka et al. (U.S. Patent No. 6,542,732) and further in view of Ito (U.S. Patent No. 5,218,628).

Regarding claim 2 is rejected for the same reasons as discussed above with respect to claim 15.

9. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Macko (U.S. Patent No. 6,052,563) and in view of Khazaka et al. (U.S. Patent No. 6,542,732) and further in view of Bruno et al. (U.S. Patent No. 6,226,529).

Regarding claim 10, Macko in view of Khazaka fails to teach "receive the status data on a data channel in a digital telecommunication system". Bruno teaches communicating via a data channel (i.e., receive the status data on a data channel) in a digital telecommunication system (col.6, line 66-col.7, line 5). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Macko in view of Khazaka to allow receiving the status data on a data channel in a digital telecommunication system as taught by Bruno. The

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motivation for the modification is to have doing so in order to provide a communication bridge between all of the devices.

10. Claims 11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Macko (U.S. Patent No. 6,052,563) and in view of Khazaka et al. (U.S. Patent No. 6,542,732) and further in view of Yeh (U.S. Patent No. 6,675,010).

Regarding claim 11, Macko in view of Khazaka fails to teach "receive the status data over a GSM, GPRS ("General Packet Radio Service") or UMTS ("Universal Mobile Telephone System") network". Yeh teaches receive the status data over a GSM, GPRS ("General Packet Radio Service") or UMTS ("Universal Mobile Telephone System") network (abstract; col.2, line 18-21, 50-54). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Macko in view of Khazaka to allow receiving the status data over a GSM, GPRS ("General Packet Radio Service") or UMTS ("Universal Mobile Telephone System") network as taught by Yeh. The motivation for the modification is to have doing so in order to make a selection between inputting the personal vocabulary list or accepting a prepared test vocabulary.

Regarding claim 13, Macko in view of Khazaka fails to teach "a WAP ("Wireless Application Protocol") client". Yeh teaches a WAP ("Wireless Application Protocol") mobile phone user (i.e., client) (abstract; col.2, line 18-21, 50-54). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Macko in view of Khazaka to allow a WAP ("Wireless Application Protocol") client as taught by Yeh. The motivation for the modification is to have doing so in order to make a connection with the mainframe.

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11. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Macko (U.S. Patent No. 6,052,563) and in view of Khazaka et al. (U.S. Patent No. 6,542,732) and further in view of Pelissier et al. (U.S. Patent No. 6,661,773).

Regarding claim 12, Macko in view of Khazaka fails to teach “global area network”. Pelissier teaches global area network (col.2, line 67). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Macko in view of Khazaka to allow global area network as taught by Pelissier. The motivation for the modification is to have doing so in order to provide a data communication.

12. Claims 16 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ito (U.S. Patent No. 5,218,628) and in view of Macko (U.S. Patent No. 6,052,563).

Regarding claim 16 is rejected for the same reasons as discussed above with respect to claim 9.

Regarding claim 33, Ito fails to teach “said second digital message comprises a time stamp representative of a creation time of said second digital message, the method comprising the further step of determining, in said first telecommunication apparatus, whether a difference between a current time and said time stamp is less than a predetermined limit and, if not, sending a new first digital message to the second telecommunication apparatus”. Macko teaches that the incoming message (i.e., second digital message) comprises a time stamp representative of a creation time of the incoming message, the method comprising the further step of determining, in the first telecommunication apparatus, whether a difference between a current time and the time stamp is less than a predetermined limit and, if not, sending a new response message (i.e., first digital message) to the second telecommunication apparatus (col.6, line 66–col.7, line 5). Thus, it

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would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ito to allow the second digital message comprising a time stamp representative of a creation time of the second digital message, the method comprising the further step of determining, in the first telecommunication apparatus, whether a difference between a current time and the time stamp is less than a predetermined limit and, if not, sending a new first digital message to the second telecommunication apparatus as taught by Macko. The motivation for the modification is to have doing so in order to provide a predetermined criteria for triggering transmission of a predetermined response message.

13. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ito (U.S. Patent No. 5,218,628) and in view of Bruno et al. (U.S. Patent No. 6,226,529).

Regarding claim 17, Ito fails to teach “receive the status data on a data channel in a digital telecommunication system”. Bruno teaches communicating via a data channel (i.e., receive the status data on a data channel) in a digital telecommunication system (col.6, line 66-col.7, line 5). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ito to allow receiving the status data on a data channel in a digital telecommunication system as taught by Bruno. The motivation for the modification is to have doing so in order to provide a communication bridge between all of the devices.

14. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ito (U.S. Patent No. 5,218,628) and in view of Pelissier et al. (U.S. Patent No. 6,661,773).

Regarding claim 18 is rejected for the same reasons as discussed above with respect to claim 12.

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15. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ito (U.S. Patent No. 5,218,628) and in view of Yeh (U.S. Patent No. 6,675,010).

Regarding claim 19 is rejected for the same reasons as discussed above with respect to claim 11.

16. Claims 20-26, 28 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ito (U.S. Patent No. 5,218,628) and in view of Brennan et al. (U.S. Patent No. 5,329,578).

Regarding claim 20 is rejected for the same reasons as discussed above with respect to claim 31. Furthermore, Ito fails to teach “a first record to identify the remote telecommunication apparatus”. Brennan teaches a telephone number of a caller (i.e., first record) to identify the PCS subscriber 15 (i.e., remote telecommunication apparatus) (fig.1a, fig.2a; col.11, lines 25-46). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ito to allow a first record to identify the remote telecommunication apparatus as taught by Brennan. The motivation for the modification is to have doing so in order to determine any special treatment.

Ito further fails to teach “a second record to identify said telecommunication apparatus”. Brennan teaches a telephone number of a PCS subscriber 15 (i.e., second record) to identify the caller 14 (i.e., remote telecommunication apparatus) (fig.1a, fig.2a; col.11, lines 25-46). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ito to allow a second record to identify the telecommunication apparatus as taught by Brennan. The motivation for the modification is to have doing so in order to allow the personal agent to access the particular subscriber profile.

Regarding claim 21, Ito teaches that the second digital message is a reply to the first digital message and contains a data field to indicate an idle situation (i.e., the remote telecommunication apparatus is connected to the telecommunications network) (col.7, lines 24-31).

Regarding claim 22, Ito teaches the data field indicating that the remote telecommunication apparatus is busy (i.e., involved in an ongoing telephone call) (col.7, lines 24-31).

Regarding claim 23, Ito teaches the data field indicating that the remote telecommunication apparatus is idle (i.e., is not involved in an ongoing telephone call and is therefore operatively accessible) (col.7, lines 24-31).

Regarding claims 24 and 25 are rejected for the same reasons as discussed above with respect to claim 20.

Regarding claim 26 is rejected for the same reasons as discussed above with respect to claim 34.

Regarding claim 28, Ito teaches that the telecommunication apparatus is a mobile telephone (fig.1; col.5, lines 43-49).

Regarding claim 32, Ito fails to teach "the further step of checking, in the second telecommunication apparatus, whether the first telecommunication apparatus is an admissible requestor of operational status information regarding the second telecommunication apparatus". Brennan teaches the further step of checking, in the second telecommunication apparatus, whether the caller 14 (i.e., first telecommunication apparatus) is an admissible requestor of operational status information regarding the PCS subscriber 15 (i.e., second telecommunication

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apparatus) (fig.1a, fig.2a; col.11, lines 25-46). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Ito to allow the further step of checking, in the second telecommunication apparatus, whether the first telecommunication apparatus is an admissible requestor of operational status information regarding the second telecommunication apparatus as taught by Brennan. The motivation for the modification is to have doing so in order to determine any special treatment for the caller.

17. Claims 27 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ito (U.S. Patent No. 5,218,628) and in view of Brennan et al. (U.S. Patent No. 5,329,578) and further in view of Macko (U.S. Patent No. 6,052,563).

Regarding claim 27 is rejected for the same reasons as discussed above with respect to claim 7.

Regarding claim 29 is rejected for the same reasons as discussed above with respect to claim 9.

18. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ito (U.S. Patent No. 5,218,628) and in view of Brennan et al. (U.S. Patent No. 5,329,578) and further in view of Yeh (U.S. Patent No. 6,675,010).

Regarding claim 30 is rejected for the same reasons as discussed above with respect to claim 11.

Conclusion

19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Fickes et al. (US Patent No. 6,526,274) teaches Method, system, and computer program product for extending the functionality of a personal information manager to telephone

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system interactions, Chmaytelli et al. (US Patent No. 6,418,311) teaches Search and replace features for handset phonebook and Garudadri et al. (US Patent No. 6,519,479) teaches Spoken user interface for speech-enabled devices.

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Md S Elahee whose telephone number is (703) 305-4822. The examiner can normally be reached on Mon to Fri from 8:30am to 5:00pm.

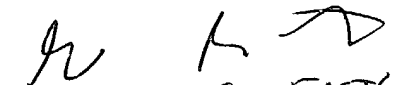
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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M.E.

MD SHAFIUL ALAM ELAHEE

October 30, 2004


ROLANDO G. FOSTER 11/1/04
PRIMARY PATENT EXAMINER